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US EPA RECORDS CENTER REGION 5



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May 10, 2004

Via Facsimile and First Class Mail

United States Environmental Protection Agency
Region 5
Attn: Debbie Regel, Enforcement Specialist
77 W. Jackson Blvd.
Mail Code SE-5J
Chicago, IL 60604

**Re: Response to April 23, 2004 General Notice of Potential Liability
Sanicem Landfill Site, Auburn Hills, Oakland County, MI**

Dear Ms. Regel:

We are the attorneys for and are writing this letter on behalf of Jacob Property, 140 Ellen Drive, LLC, and 110 Ellen Drive, LLC. The two LLCs are the owners of 140 and 110 Ellen Drive respectively. (Together the three entities are referred to as "PRP.") The PRP has received the United States Environmental Protection Agency's ("USEPA") April 23, 2004 General Notice of Potential Liability concerning the Sanicem Landfill site in Auburn Hills, Michigan (the "site").

PRP appreciate USEPA taking the time to meet with us on May 3, 2004, to discuss USEPA's April 23, 2004 letter. Also in attendance at that meeting were the current owners of the former Sanicem Landfill site. At the May 3, 2004 meeting, numerous documents were provided to USEPA concerning the steps that the owners of the former Sanicem Landfill site are undertaking. A large portion of the work is being funded by a USEPA Brownfield grant pursuant to an approved plan. It is the PRP's understanding that this plan will address all of USEPA's concerns. It is also the PRP's understanding that USEPA needs an opportunity to review the various documents. In conjunction with that review, it is our understanding that USEPA will speak to its various divisions within Region 5, including the department responsible for the Brownfield grant. Additionally, USEPA will meet with the consultants for both the former Sanicem Landfill (Robert Zwald) and the PRP's consultant (Adam Larky). If after those meetings and the review of documents, USEPA has any additional concerns, it is my understanding that they will contact PRP.

In the meantime, let me assure you, that to address any explosive hazards that may occur as a result of the Sanicem Landfill, the PRP has installed methane monitors

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at both 110 and 140 Ellen Drive. 140 Ellen Drive is also equipped with an automatic alarm that alerts the fire department if methane gas reaches a certain level. Additionally, ventilation fans continuously run in the building. Finally, all the floors in the 140 building have been appropriately sealed. It is my understanding that any information concerning these steps that is required by USEPA will be requested by Jeff Kimble, On-Scene Coordinator, to Adam Larky, Shaw Environmental. However, should you need any additional information, please do not hesitate to contact me.

Sincerely,

BUTZEL LONG

Beth S. Gotthelf
Beth S. Gotthelf *Regel*

BSG/jlk

Cc: Steven E. Jacob
Adam Larky
Paul F. Bohn
Thomas P. Turner
Jeffrey W. Kimble